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Grace F. Napolitano
Congress of the United States
House of Representatives
38th District of California

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CONGRESSIONAL MENTAL HEALTH
CAUCUS
CO-CHAIR
CONGRESSIONAL HISPANIC CAUCUS

Michael Yudin, Acting Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

June 8, 2012

Dear Acting Secretary Yudin,

I am writing to respectfully request your full consideration of the State of California's state-defined waiver application. Under Section 9401 of the No Child Left Behind Act of 2001, such a waiver request is explicitly outlined, provided that an individual state describes how the waiver will "increase the quality of instruction for students; and...improve the academic achievement of students." The statute also requires a waiver application to explain specific and measurable goals for each school year, explain how the waiver will help achieve those goals, and describe how schools will continue to provide assistance to the populations served by the programs for which a waiver is requested.

The waiver application submitted by the California State Board of Education meets all of these requirements. It describes the strength of California's existing accountability system and how the State will use that system to set ambitious goals for schools and hold them accountable for improvement. Specifically, an approved waiver would remove sometimes impractical targets that can unfairly label schools as failing; restore a single and transparent system for measuring school performance; ensure continued accountability for improving the achievement of all groups of students; and create a process for identifying schools and districts most in need of improvement and determining the sanctions and interventions needed to improve instruction.

This plan will ensure that the principles of accountability and continued improvement in ESEA are upheld, without creating new costs that are not economically feasible for the unique circumstances facing the State.

With this in mind, I respectfully urge the Department of Education to give the application submitted by the State of California every possible consideration during the review process and

approve the State Board of Education's waiver request. It will provide much-needed fiscal and administrative relief to our 1,000-plus districts, and a greater focus on what matters most: great teaching and learning for our 6.2 million students.

Thank you for your time and attention to this matter. If you have any additional questions please contact Lauren Vargas in my Washington, DC office at 202-225-5256.

Sincerely,


Grace F. Napolitano
Member of Congress



association of california
school administrators

officers

president David A. Gomez, Ph.D. **president-elect** Marc Ecker, Ph.D. **vice president** Randall V. Delling, Ed.D.

vice president for legislative action Lisa Gonzales, Ed.D. **past president** Alice Petrossian **interim executive director** Karen Stapf Walters

May 21, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Re: California's "state defined" waiver request

Dear Acting Assistant Secretary Michael Yudin:

On behalf of the Association of California School Administrators (ACSA) representing more than 14,000 educational leaders, we urge your support for California's "state defined" waiver request which will be before you on or after June 7, 2012. ACSA strongly concurs with the three main objectives for requesting a general waiver (pursuant to ESEA Section 9401); to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current Academic Performance Index (API) accountability system is best for California and for our students. It is important for our state to build upon the strengths of the API but also improve upon what we have learned over the last 13 years in order to improve our API. We are very confident California will remain committed to continuous student achievement for all students and all subgroups. The proposed state defined waiver provides for very specific deadlines to ensure California maintains a rigorous accountability system including revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of interventions based on the severity and persistence of underachievement problems (July 2013).

ACSA has taken a lead role in California advocating for the strongest waiver proposal possible over the course of the last 8 months. We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We urge you to have faith we can accomplish the goals as outlined. We stand ready to assist in ensuring that we provide the U.S. Department of Education a rigorous system of accountability on behalf of our students. If you should have questions please don't hesitate to contact me at dgomez@acsa.org or our ACSA Governmental Relations staff Sherry Skelly Griffith at sgriffith@acsa.org or (916) 955-1699.

Sincerely,

David A. Gomez
ACSA President

cc: Governor Jerry Brown
State Superintendent of Public Instruction, Tom Torlakson
State Board of Education President, Dr. Michael Kirst
State Board of Education Director, Sue Burr
Members of the California State Legislature
Members of Congress, California's Republican and Democratic Delegations

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Mary C Jones
1293 Catalina Drive
Merced, CA 95348-9515

May 23, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Association of CA School Administrators and I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Dr. Mary C. Jones
209-722-7089

Buck Roggeman
1012 Forest Avenue
Pacific Grove, CA 93950-4836

May 23, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Association of California School Administrators, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

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Sincerely,

Buck Roggeman



California Association of Private School Organizations

MEMBERS

Archdiocese of Los Angeles
Department of Catholic Schools

Archdiocese of San Francisco
Department of Catholic Schools

Association of Christian
Schools International
Northern California & Hawaii Region

Association of Christian
Schools International
Southern California Region

BJE - Bureau of
Jewish Education

California Association of
Independent Schools

California Association of Private
Special Education Schools

California Catholic Conference

Christian Schools International
District VIII

Diocese of Fresno
Education Corporation

Diocese of Oakland
Department of Catholic Schools

Diocese of Orange

Diocese of San Bernardino

Diocese of San Jose

Diocese of Stockton

Episcopal Diocese of California

Episcopal Diocese of Los Angeles

Evangelical Lutheran Education
Association

Lutheran Church – Missouri Synod
California-Nevada-Hawaii District

Lutheran Church – Missouri Synod
Pacific Southwest District

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Serena Beeks
Secretary

Ron Reynolds
Executive Director

May 23, 2012

Dr. Michael W. Kirst
President
California State Board of Education
1430 N Street, Suite #5111
Sacramento, CA 95814

Dear Dr. Kirst,

I write on behalf of the California Association of Private School Organizations, whose members serve some 1,400 private nonprofit schools enrolling approximately 400,000 students in grades K-12, inclusive. We ask that our concerns be considered as California submits its application to the U.S. Department of Education for waivers of certain provisions of the Elementary and Secondary Education Act (ESEA).

As you are aware, ESEA Section 9401(c)(5) does not permit the Secretary of Education to waive any statutory or regulatory requirement related to the equitable participation of private school students, teachers, and families. Upon the granting of waivers, we respectfully request the California Department of Education to remind all appropriate SEA and LEA contacts that both the equity provisions relating to the participation of private school students and teachers in relevant ESEA programs, and the requirements governing timely and meaningful consultation with appropriate private school officials remain in effect. Such a reminder should be issued in the form of a written communication.

While the ESEA's private school equity provisions may not be waived, other actions may become permissible under a waivers arrangement that can affect the participation of private school students, teachers, and families in ESEA programs. If, for example, certain Title I funds should be shifted from programs requiring the equitable participation of private school students, teachers, and families to uses for which the equity provisions are not applicable, private school children's needs may not be met. This, we believe, would be grossly unfair, as Title I funds are generated by children enrolled in private schools in exactly the same manner as their public school peers.

Prior to the transfer of any funds, including funds that may be freed up if the LEA is no longer required to meet the requirements of ESEA section 1116, the law requires school districts to engage in timely and meaningful consultation with private school officials so as to consider the needs of private school students. To be timely, such consultation must occur before the LEA makes any decision that affects the opportunity of eligible private school children to participate in Title I, Part A programs, including decisions regarding the use of funds freed up under ESEA section 1116.

- continued -

CAPSO is an affiliate of the Council for American Private Education

From the date of ESEA's passage in 1965, the law's equitability provisions have underscored the intent of the statute to meet students' needs, regardless of the type of school they happen to attend. Regrettably, the passage of the No Child Left Behind Act produced an erosion of this disposition. Because a waivers arrangement may open the door to further attenuation of the equitability principle, we respectfully request the CDE to instruct LEAs to ensure that any additional focus on lowest performing public schools not deprive private school students at risk of failure from receiving equitable services. The easiest and surest way to do so consists of requiring any freed up funds to be assigned in the form of an increased per-pupil allocation rather than a set-aside. Such a requirement will ensure that funds generated by private school students will accrue to the benefit of private school students.

We wish the State Board of Education success in its application on behalf of all the people of the state. As always, my colleagues and I are ready and willing to work with you, the CDE and local districts to ensure that the anticipated waivers arrangement will redound to the benefit of all California students. We hope you will look upon our schools as partners in the education of the public, and that you will view our organization as a stakeholder in achieving the best possible outcome for the greatest number.

Thank you for your consideration of our concerns.

Sincerely,



Dr. Ron Reynolds
Executive Director
California Association of Private School Organizations

15500 Erwin St., #303
Van Nuys, CA 91411

Phone: 818-781-4680
Cell: 818-378-5783
Fax: 818-781-4680
email: ronreynolds@capso.org

May 25, 2012

Michael Yudin, Acting Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

RE: California's ESEA Waiver Request: SUPPORT

Dear Acting Assistant Secretary Yudin:

On behalf of the California Association of School Business Officials (CASBO), which represents more than 4,000 school business officers statewide, I am writing to urge your support for California's "state defined" ESEA waiver request as submitted by the California State Board of Education and State Superintendent of Public Instruction Tom Torlakson.

The waiver request addresses three major concerns that are facing school districts in California:

- The over-identification of schools and school districts in program improvement
- The urgent need for greater spending flexibility to increase student achievement
- The need to transition to a single, easily understood accountability system

CASBO is an organization of school districts and education professionals who are responsible for every financial and operational facet of public K-12 schools in California. As such, we strongly support the spending flexibility component of the waiver, in that it would allow schools to appropriately manage their resources to provide for activities that will be *most effective* for improving teaching and learning, in the local context.

With respect to accountability, the waiver will allow the development of a rigorous accountability system, based on California's current API system, that will ensure an ongoing commitment to continuous student achievement for all students and all subgroups while providing the data educators and community members need in order to determine how schools are performing.

Again, we urge approval of the state's waiver request. Thank you for your consideration of our views.

Sincerely,



Michael Johnston
President

cc: Governor Jerry Brown
State Superintendent of Public Instruction Tom Torlakson
Dr. Michael Kirst, President, State Board of Education
Sue Burr, Executive Director, State Board of Education



CALIFORNIA PRIVATE SCHOOL ADVISORY COMMITTEE, K-12

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Superintendent of Public Instruction

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Director, Federal & State Programs
Department of Catholic Schools
Archdiocese of Los Angeles

BERIT VON POHLE
Director of Education
Pacific Union Conference
Seventh-day Adventists

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Los Angeles, CA 90048
(323) 761-8334
mprumhess@bjela.org

May 23, 2011

Dr. Michael W. Kirst, President
California State Board of Education
1430 N Street, Suite #5111
Sacramento, CA 95814

Dear Dr. Kirst,

I am writing to you again as the Chair of the California Private School Advisory Committee of the California Department of Education (CPSAC), the state's official SEA level Private School Consultative body for the Elementary and Secondary Education Act (ESEA).

We want to further clarify our previous correspondence of March 22, 2012 and share with you CPSAC's concerns regarding the state-defined waiver that California intends to submit to the U.S. Department of Education and its implications for the equitable participation of private school students in programs authorized by the Elementary and Secondary Education Act (ESEA).

Since 1965 when ESEA was first signed into law, the principle of equitable services was firmly established; ESEA has upheld this principle throughout the years. However, under No Child Left Behind (NCLB), equitable participation became more difficult to achieve as the programs authorized under NCLB began to focus more on public school reform rather than direct services to students. The waiver authority—and the state-defined waiver that California is proposing—can further threaten equitable participation.

While we are aware that the equitable participation of eligible private school students cannot be waived, various flexibility arrangements, potentially permitted by waivers, can negatively impact private school children at risk of failing and who currently benefit from Title I services.

If, for example, funds currently reserved for SES, public school choice, and professional development in districts designated as being in need of improvement are freed up and set aside as a reserve to benefit only the lowest performing public schools, this will negatively impact private school students in need of services, as well as other Title I public school attendance areas.

We therefore request that any freed up funds should be allocated via an increased per-pupil allocation rather than from an off-the-top reserve. Furthermore, we ask the California Department of Education to remind their local districts of the requirements governing timely and meaningful consultation with appropriate private school officials



CALIFORNIA PRIVATE SCHOOL ADVISORY COMMITTEE, K-12

and instruct their local districts to ensure that the additional focus on failing schools does not detract from the services to educationally needy private school students.

If districts use the per pupil allocation to direct additional funding to its most needy schools, private school students residing in those attendance areas would equally benefit from the additional funding.

The principal concern of private school leaders is that the waivers arrangement that is ultimately secured not negate the longstanding principle that dollars generated by private school students accrue to the benefit of private school students.

As always, I and my colleagues are ready and willing to work with you and your local districts to ensure that all students are treated fairly and equally under the state-defined waiver, should it be granted by the U.S. Department of Education. We hope that you will consider us a partner and stakeholder.

Thank you for your consideration. We look forward to hearing the results of California's waiver request.

Sincerely,

Miriam Prum Hess, Chair
California Private School Advisory Committee
California Department of Education

O: 323.761.8334

C: 323.459.4377

F: 323.761.8640

mprumhess@bjela.org

cc: Jeff Breshears, Administrator I, Title I Policy and Program Guidance Office

May 23, 2012



Michael Yudin, Acting Assistant Secretary
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

SUPPORT - ESEA State Waiver Request

The **California School Boards Association** (CSBA) which represents nearly 1,000 school districts and county boards of education statewide, **supports the California State Board of Education's request to waive subsection 1116(b) and (c) of the Elementary and Secondary Education Act (ESEA) for the 2012–13 and 2013–14 academic years**, as submitted by the California State Board of Education and State Superintendent of Public Instruction Tom Torlakson.

The waiver request addresses three major concerns facing California school districts –

- the over-identification of schools and districts in program improvement,
- the need for greater spending flexibility to address efforts to increase student achievement, and
- the need to transition to a single, easily understood accountability system.

As we begin the process of modifying California's curriculum and assessment systems to participate in the Common Core State Standards, this is the ideal time to focus on a single accountability system in the state. That accountability system needs to include multiple measures and benchmarks for growth so that we can best target resources to students and schools most in need of assistance. We believe the waiver will allow development of a rigorous accountability system, based on our current API system, that can explain to educators and community members how our schools are performing.

The timelines in the waiver request are short and demonstrate a strong commitment on the part of the State to consider revisions to the API (January 2013), determine schools and districts to be targeted for improvement (March 2013) and identify interventions based on the severity and persistence of underachievement problems (July 2013). We at CSBA are committed to participating in this process and developing a rigorous, high-quality system that will be a model for other states.

The time is ripe to focus on the new Common Core goals without the distraction of multiple accountability systems that confuse parents about the quality of schools and teachers about what is being measured. We look forward to favorable consideration by the U.S. Department of Education of California's waiver request.

Michael Yudin
May 23, 2012
Page Two

Should you need additional information on this matter, please feel free to contact CSBA's Sr. Policy Director, Teri Burns at 916-669-3356.

Sincerely,

A handwritten signature in black ink, appearing to read 'V. Billy', with a stylized flourish at the end.

Vernon M. Billy
Executive Director

May 22, 2012

Michael Yudin, Acting Assistant Secretary
Office of Elementary and Second Education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Dear Acting Assistant Secretary Yudin:

RE: Waiver of Provisions of Section 1116(b) and (c) of the Elementary Education Act, Pursuant
to Section 9401 of the Elementary and Secondary Education Act

On behalf of the California State PTA, I am writing to express our organization's support for California's state-defined waiver request referenced above. It was approved unanimously by the State Board of Education on May 10 and is strongly supported by the Superintendent of Public Instruction and the Governor.

Approval of this waiver request came after months of discussion and input from key stakeholders. A clear consensus finally emerged from those efforts, and that is reflected in the request being forwarded for your consideration. It will provide meaningful relief for California schools while maintaining the commitment to holding schools accountable for improving achievement for all our students. At a time when schools are experiencing deep budget cuts, we believe it will provide the flexibility needed to allow severely limited resources to be used to better meet the needs of our students who face the greatest challenges.

We respectfully urge you to approve California's state-defined waiver request so that it will be possible to move forward with needed relief this fall.

Sincerely,



Carol Kocivar, President
California State PTA

Governor Jerry Brown
Superintendent of Public Instruction Tom Torlakson
President of the State Board of Education, Dr. Michael Kirst
Executive Director of the State Board of Education, Sue Burr



June 5, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

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Executive Director
Carolyn Doggett

Dear Acting Assistant Secretary Michael Yudin:

Re: California's "state defined" waiver request

The California Teachers Association urges your support of California's application seeking a waiver of selected provisions of the Elementary and Secondary Education Act (ESEA) pursuant to Section 9401. The state has focused on its unique opportunities and challenges in creating a waiver to meet the needs of California schools.

An approved waiver would support the State's transition to a growth model. As part of the waiver request, California ensures that local educational agencies and schools will continue to be held accountable for student outcomes as the state transitions to a growth model that uses performance targets from California's Academic Performance Index system as the Annual Measureable Objectives required by ESEA. The Academic Performance Index (API) summarizes a school's or LEA's academic performance and progress on statewide assessments. This waiver will allow California to recognize the growth that California schools and students have made over the last dozen years and will position California to transition more effectively to new accountability reporting priorities as part of the state's plan to replace current state assessments with the next generation SBAC assessments. Significant changes in state statutes have created the policy foundation to support the state's plans and timeline for revising the target structure of the Academic Performance Index to encourage continued focus on students who are not proficient.

If a waiver request is authorized by the SBE, the proposed components of the revised accountability system will be reviewed by appropriate advisory bodies and stakeholder groups and then recommended for approval to the SBE. The system will be more sensitive – having the ability to highlight growth specifically for students that are English learners and students with disabilities as well as ensuring that high performing schools are accountable for subgroups growth for their subgroup as well. Such a system will support the transition from our current accountability design to a new system which will be modified as needed when Common Core State Standards and the SMARTER Balanced Assessment Consortium systems are fully in place

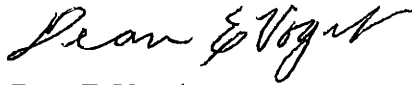
An approved waiver would support the arc of support and intervention for the State's lowest performing schools. Local school districts are the entry point for intervention. Ideally, the state's monitoring will include reasonable criteria for identifying low performing schools and districts, resulting in more meaningful, stable identifications. The

criteria should differentiate between schools and districts that are not improving and those that are slowly, but steadily improving, and offer those that are improving a way to exit underperforming schools status.

This waiver will allow California to use federal funds for appropriate interventions to meet local needs. The waiver holds the state accountable to identify a targeted subset of schools and districts that have not shown improvement and have low absolute performance, for intervention and/or sanction by the state. The state waiver identifies what interventions or sanctions will be applied to this targeted subset of schools and districts, using the wide range of options already authorized in California state law. Schools with the most challenges will get the support they need from school partnerships as well as outside providers. In the context of overstretched resources, California can prioritize and focus interventions for those schools truly in need.

CTA believes that the State is on the right track. California students deserve a well-rounded education with a full curriculum (including science, social science). This waiver is a coherent proposal to revise the system of accountability, recognize initiatives underway that align with federal and recognize that current law and pending legislation will create systemic school intervention grounded in the state context and acceptable to all stakeholders.

Sincerely,



Dean E. Vogel
President

DEV:JR:cl

c: Eric C. Heins
Mikki Cichocki
CTA Board of Directors
Carolyn Doggett
Karen Kyhn
Emma Leheny
Carlos Moreno
Joe Nunez
Becky Zoglman



525 E. 7th St, Long Beach, CA 90813 Tel: (562) 983-1333 Fax: (562) 436-1822

April 23, 2012

Mr. Michael Kirst
President, State Board of Education
Members, State Board of Education
1430 N. Street, 5th Floor
Sacramento, CA 95814

Dear President Kirst and Members of the State Board of Education:

On behalf of Californians Together's 23 parent, professional and civil rights organizations, we have reviewed all of the previous agenda items and hearings on the possible California ESEA Waiver Application. Additionally, we thank you for providing us the opportunity to participate in the two stakeholders meetings

We support the decision for the State to submit a State Defined Waiver and as a follow-up to the meetings we offer in writing the following suggestions for the content of the waiver request. Our suggestions respond to two of the questions discussed at the Stakeholders Meeting on April 17, 2012.

1. How can California frame an accountability system that considers academic performance over time, includes challenging yet reasonable goals, and accommodates other outcome measures as they are developed?

Much of the discussion focused on the use of the API in a slightly different format and breaking out the math and reading/language arts results into two separate APIs; math and reading/language arts. We support this notion but want to suggest additional measures that should be added when calculating the API. Below is the original language from the Education Code referenced by the PSAA Committee when developing the initial API measure. It is clear the STAR Program and the assessments from the STAR Program are referenced as being the indicators for the API (Ed Code 52052 (4) and 60640).

(4) The API shall consist of a variety of indicators currently reported to the department, including, but not limited to, the results of the achievement test administered pursuant to Section 60640, attendance rates for pupils in elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

The STAR Program includes the Spanish Test in Spanish (STS). The PSAA Committee considered the STS but at that time the test was only developed for two- three grade levels and had not been widely implemented. Now the STS is available for all grade levels and available in Algebra and Geometry for secondary schools. There is no need to revise any legislation to consider the STS as an additional measure.

We are proposing that for students taking the STS, in addition to the English CSTs, the highest score between the two tests be used for calculation of the API. For many students who are in the process of developing their language and academic proficiency, it makes sense to be able to accurately represent the knowledge of these students in their language of strength for accountability purposes.

We also recommend including the accountability measure that the state uses for Title III Accountability based upon the CELDT score data as another indicator when calculating the API. These two additional indicators for English learners will add elements to the API that can better document English language acquisition and academic growth for English learners.

2. What are the appropriate interventions for underperforming schools? When, how and by whom should these interventions be undertaken?

There is a need to switch the focus of the current intervention program from minutes of instruction and state adopted textbooks designed solely for English only students to a focus on research –based instruction and programs for the designated subgroups not meeting the accountability targets. The State Defined Waiver should rely heavily on the Department’s own 2010 publication, *Improving Education for English Learners: Research-Based Approaches* in order to determine instruction and programs for English learners. The district and school improvement plans should be grounded in the research and practice from the publication and other evidence based programs and instructional approaches designed specially for the language and academic needs of the underperforming subgroups. This includes the notion that all students should receive instruction in the full curriculum. For English learners, concept and academic language development comes from content instruction and a narrowed curriculum handicaps that development.

We recommend that the schools and districts set benchmarks for EL students based upon their EL proficiency and academic level, and time in US schools to set appropriate targets for all EL students and to be able to monitor the progress for each individual English learner. (See attached *Annual Expectations for English Learners*) Lastly, it is critical that this work extend beyond the creation of the plan required of PI schools and should include ongoing and continued support and monitoring for strong and robust implementation. As there is a body of research on instruction and programs there is also research on the “Science of Implementation” by Dean Fixen (see attached research, *Implementation: The*

Missing Link Between Research and Practice) and what it takes to change the culture of systems and to support the educators to own and demonstrate proficiency with any new reform. This needs to be the underpinning or foundation of the work of intervention.

Schools and districts should be able to designate either a peer school or district or outside consultants to support this work. Both the peer partners and consultants need to document that they have personnel and expertise to address the student subgroups that are underperforming requiring additional support, assistance and intervention. The majority of the team needs to have this expertise – not just one person.

Lastly, after reviewing the initial eleven ESEA Waivers submitted to the U.S. Department of Education, the majority of the states were required to resubmit because they did not adequately address the education and accountability of English learners. Without new measures for California that are sensitive to language and academic achievement of English learners and without an accountability process that is targeted at English learners and other subgroups, California's defined ESEA waiver could also fall short. We believe including the suggestions in this letter will strengthen California's application.

We appreciate being a part of the deliberation process on the development of the ESEA State Defined Waiver.

Sincerely,

Shelly Spiegel-Coleman
Executive Director

CCcc: State Board of Education Members
Sue Burr, Executive Director
Tom Torlakson, State Superintendent of Public Instruction
Dr. Fred Tempes, Comprehensive Assistance Center



May 24, 2012

Mr. Michael Yudin, Acting Assistant Secretary
Office of Elementary and Secondary Education
United States Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

**California ESEA Waiver Request
SUPPORT**

Dear Mr. Yudin:

On behalf of the Riverside County School Superintendents' Association (RCSSA), I am writing to support California's request to waive specified provisions of the Elementary and Secondary Education Act (ESEA), which will be presented to you jointly by California's State Board of Education and State Superintendent of Public Instruction Tom Torlakson.

RCSSA is comprised of the 23 school district superintendents in Riverside County and the Riverside County Superintendent of Schools. In aggregate, we educate over 400,000 students. Additionally, Riverside county serves high concentrations of English learners and students from low-income households. The socio-economic challenges our students face require our districts to tailor instructional approaches that eliminate the performance barriers and ensure all of our students graduate from high school fully prepared for college and the workforce.

Despite our yeoman's work, and because of what many believe is an over-identification and misnomer of "failing schools," our county has over 150 schools in Program Improvement, with an additional 55 schools identified as "at-risk" of falling into Program Improvement. Consequently, RCSSA supports any effort to relieve its schools and districts from the adverse practice of over-identifying schools as failing when indeed they are making significant gains in student achievement.

The waiver request before you requests relief specifically from provisions requiring the identification of schools and districts in program improvement and enhancing local flexibility to address student achievement needs through the allocation of fiscal resources.

Patti F. Herrera, Executive Director
Riverside County School Superintendents' Association
1121 L Street, Suite 807, Sacramento, CA 95814
Phone: (916) 325-1162 Fax: (916) 930-0542
Email: patti@rcsaa.com

Mr. Michael Yudin, Acting Assistant Secretary
Office of Elementary and Secondary Education
United States Department of Education
May 24, 2012
Page 2

We remain committed to the spirit of the ESEA in ensuring that every student has access to a quality public education, which requires the continued monitoring of under-performing schools and districts. However, we believe that the current practice of identifying "failing" schools only *fails* our schools and our students. We need to eradicate this ineffective practice. We need to improve the methodology for identifying schools in need of intervention and then develop clear and effective sanctions when schools and districts persistently underachieve. California's waiver request provides a roadmap that will transition the state to a more effective system.

Finally, RCSSA believes that the accountability measures outlined in California's waiver request are significant, rigorous and an important step toward full reform of our state accountability system. We believe that the coherence and cogency of a single system of performance metrics best serves our districts and its students; thus, we support the effort to improve upon our current Academic Performance Index (API).

RCSSA commends Governor Brown, the State Board of Education, and Superintendent Torlakson for their efforts to relieve our schools and students from the draconian provisions of the ESEA. For the sake of the students we serve, we can no longer afford to dither in our attempts to meet the requirements of a failed experiment.

We urge you to approve California's waiver request.

Sincerely,



Elliott Duchon
Chair, Riverside County School Superintendents' Association

cc: Governor Jerry Brown
State Superintendent of Public Instruction Tom Torlakson
Michael Kirst, President, State Board of Education



2611 Temple Heights Drive, Suite A
Oceanside, CA 92056
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FX 760.631.3411

Real Learning for Real Life®

June 7, 2012

The Honorable Sue Burr
Executive Director
California State Board of Education
1430 N Street, Suite #5111
Sacramento, CA 95814

Re: California's "state defined" waiver request

Dear Executive Director Burr:

I am writing to support the California State Board of Education's actions seeking an Adequate Yearly Progress waiver from the Department of Education. As you move forward in developing new models of accountability, SIATech encourages you to address accountability issues relevant to dropout recovery high schools. Other states including Florida, Arizona and Colorado have taken initiative to develop a differentiated system of accountability for schools serving reengaged dropouts and other unique student populations. In California there is a distinct class of charter schools serving former dropouts in partnership with Federal and other career preparation programs. These schools are specifically recognized in Education Code Section 47605.1.

The National Governor's Association (NGA) has supported research on the dropout crisis and specifically dropout recovery. In addition to their seminal work, *Achieving Graduation For All* (2009), NGA researcher Ryan Reyna published *State Policies to Reengage Dropouts*, July 12, 2011. I encourage review of these resources in developing appropriate California policies.

Research by WestEd and others demonstrates that graduation rate goals and implicitly cohort rates are inappropriate for students that reenter high school significantly below grade level. Unfortunately, nothing in AYP or state law recognizes this specific problem for dropout recovery schools.

Graduation Rate Issues

High schools that serve former dropouts do not fit into the assumptions that traditional high schools or even dropout "prevention" programs do. The great majority of our students have previously dropped out of another high school. State and national studies indicate that the graduation rate for reengaged students is far below that of any other group. Reengaged students are commonly outside of the 4 year or extended year cohorts used for calculating graduation rates. Most importantly, studies show that former dropouts graduate at a rate between 18% and 21%. This is substantiated by a recent study demonstrating that only 1 in 5 reenrolled dropouts will earn a high school diploma (see Rumberger, *Dropping Out: Why Students Drop Out of School and What Can Be Done About It*, Harvard University Press, 2011).

*Serving California with campuses in El Centro, Long Beach, Los Angeles, Riverside,
Sacramento, San Francisco, San Diego and San Jose*



2611 Temple Heights Drive, Suite A
Oceanside, CA 92056
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The School for Integrated Academics and Technologies (SIATech) serves 16-24 year old out of school youth at the Job Corps Centers and other WIA programs in California. We provide a State standards-aligned, WASC accredited, public high school diploma to students who are willing to reengage in school and undertake the challenges that dropout recovery entails.

SIATech is proud that its graduation rate is twice that of the national average for dropout recovery. However, the State's 90% goal for graduation rates will not be met by our or other dropout recovery schools. We encourage you to develop a meaningful graduation rate policy for former dropouts. There are alternatives available to California that meet Federal policy. For example, the State of Florida, which has Federal Race to the Top status, excludes prior dropouts from their school and district dropout rates.

Because dropout recovery exists to reengage students who have been out of school for some period, it is in direct conflict with existing practices to calculate graduation and dropout rates by "cohort". Because students may withdraw for a period of years before reenrolling, they do not fit into a four year cohort and most will not fit an adjusted five or six year cohort.

SIATech advocates an alternative approach to the cohort construct when dealing with recovered dropouts. Instead of focusing a cohort on the students who enrolled as freshmen and were given 4, 5, or 6 years to graduate, create an alternative cohort that recognizes the propensity of reengaged students to dropout again, and establish a cohort for the students that have stayed at least a year. These are the students that a school will have the greatest impact on and should be held accountable for graduating.

Accountability Metrics

With the adoption of AB 180 (Education Code Sec. 52052.3) California has begun to recognize accountability measures that address these unique needs. Developing a system beyond the limited term pilot of AB 180 is appropriate as the State Board looks at developing meaningful multiple measures for school accountability. Components that we encourage are:

- Identification of schools eligible for differentiated accountability
- The use of appropriate and meaningful accountability measures that utilize a Problem Solving and Response to Instruction/Intervention model
- An understanding that there are causal factors that inform student performance
 - Acknowledgement of the need to include systems that evaluate individual student academic growth as opposed to simplistic cohort measures of grade level achievement
 - Acknowledgement of the inclusion of practices (support and specific research-based interventions) that are driving individual student success

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We support California's waiver request because we believe that the AYP waiver will allow California to continue the development and implementation of appropriate and meaningful measures of accountable for all schools and students, and not arbitrarily punish schools and staff involved with State-Federal recovery programs or which serve a majority underserved student population.

These are difficult issues. We encourage the Board to engage with us in finding solutions so that California's policies that serve as disincentives to dropout recovery can be revised to encourage more schools to take on the important work of reengaging the nearly 200,000 students a year that do not complete high school.

Sincerely,

Ernie Silva
Director of External Affairs
Ernie.silva@siatech.org
(916)712-9087
www.siatech.org

Cc: Michael Yudin, Acting Assistant Secretary, U.S. Department of Education
Sue Burr, Executive Director, State Board of Education
Deb Sigman, Deputy Superintendent of Public Instruction

May 25, 2012

Tom Torlakson, State Superintendent of Public Instruction
Michael W. Kirst, President, California State Board of Education
1430 N Street
Sacramento, CA 95814-5901

Dear Sirs:

I discovered yesterday you plan to send a letter to Mr. Michael Yudin, Acting Assistant Secretary, Office of Elementary and Secondary Education at the U.S. Department of Education stating the “State Board of Education as the State Educational Agency is specifically seeking a waiver to exempt local educational agencies in California from Title I, Part A sections 1116(b) and (c) with the exception of subsections 1116(b)(13) and 1116(c)(4). We are requesting this waiver for the 2012–13 and 2013–14 academic years.

In section 2 of the draft of your letter to Mr. Michael Yudin you write:

2) *Giving districts greater spending flexibility to increase student achievement.* *We request a waiver of the requirements that schools in improvement set aside funds for Title I professional development, **Supplemental Educational Services** (emphasis added) and choice-related transportation activities.*

For the past 6 years StudentNest.com has been an approved SES provider for students in California’s Title I PI schools to help these under-performing students improve their success in mathematics. We tutor one-on-one using the internet.

Since we began tutoring in 2006-2007 we have worked with over 10,000 students in a variety of PI districts including Los Angeles, Fresno, Compton, Santa Ana, Fontana and many others.

Our record speaks for itself: students are initially tested on content standards a year below their current grade level. The average on this pre-test is about 42.6%. After approximately 20 hours of tutoring we administer a post-test at grade level. The average score is near 70.8%. That is an increase of 28.2%.

And, not only have the students dramatically improved their skills and understanding of mathematics, but we can show with thousands and thousands of students that we have positively impacted their self-confidence and their attitude about their ability to learn mathematics. A typical statement by a student is, “I used to hate mathematics. Now I understand it. Math is now my favorite subject.”

I understand your desire to obtain greater flexibility for California’s PI districts to be able to use the Title I funds currently allocated for SES tutoring for other needs. **But there is little, if any, evidence there will be any savings, if, as you propose, districts will provide tutoring of students needing help in mathematics by district staff. In fact, if, indeed, it happens, it may be more costly!**

The impact of the waiver request on StudentNest.com, if granted by the U.S. Department of Education, will be devastating. We have over 100 tutors and 30 office staff working to provide high quality tutoring. These people will lose their income, and StudentNest.com, a company that has consistently provided high quality instruction in mathematics, not only for students to succeed on the STAR tests but also on the California High School Exit Examination, will probably cease to exist.

In the draft of your letter you state:

California students have also made impressive gains in mathematics: the percent of students scoring proficient or advanced increased from 35 percent in 2003 to 50 percent in 2011. Across that same time period, the percent of students scoring at the lower level of achievement decreased by 11 percentage points from 38 percent in 2003 to 27 percent in 2011.

I believe StudentNest.com and other high quality SES tutoring providers can take some credit for this improvement.

Finally, I must include a statement by T. Willard Fair, president of the Urban League of Greater Miami, Inc. and former chairman of the Florida State Board of Education:

I was so disappointed to see U.S. Secretary of Education Arne Duncan blast our state in a speech last Thursday before the Florida Council of 100. Duncan attacked our state law that continues to mandate free tutoring for underserved children trapped in underperforming schools . . .

In fact, a study released by the secretary's own Department of Education said that students enrolled in the program saw significant gains in math and reading achievement as compared to eligible nonparticipants. Another study by the National Bureau of Economic Research showed that intense tutoring was one of the most effective techniques for raising student achievement. Despite the secretary's comments, the data are clear that tutoring works.

In conclusion, StudentNest.com, as an SES provider, has already made decisions on office space, staffing, equipment, mandatory meetings, provider fairs, and other operations expenses for 2012-2013. It is impractical and unconscionable for the California State Board of Education and the Department of Education to have SES companies keep doing district meetings and fairs and, in a few months, decide to discontinue offering SES services through Title I funding.

If I know now what will happen in 2013-2014, I can plan for the future of StudentNest.com. But do not include 2012-13 in your waiver request.

Sincerely,
Chander Joshi, President and CEO
StudentNest.com
559-486-1251
chanderjoshi88@gmail.com

Dear Jeff

Please accept my comments below in reference to the California Department of Education's ESEA Waiver Request draft of May 15, 2012.

I wish to present my personal background as context for my perspectives. I have been responsible for guiding districts in Humboldt County through PSAA, API, NCLB, and AYP since the inception of each of these programs. I have provided support to schools and LEAs in Program Improvement as the County RSDSS coordinator since the beginning of this support system. I have also been the director of the Humboldt County Co-op for Categorical Programs for over 15 years. In this work I have assisted all districts in my county with every aspect of their Title I programs. I currently am the President of the California Co-op Directors Association, and I serve as the Region I representative to ACSA's Legislative Action Assessment Committee. Additionally, my comments below represent the collective opinions of 39 Humboldt County administrators, which I collected at a group meeting on May 24, 2012.

We wish to commend the Department for proposing a waiver that is specifically crafted to California's needs rather than applying for the waiver constructed by the federal Department of Education that would not have been appropriate for schools in our state. We heartily concur with the primary purposes of the waiver – to reduce the over-identification of schools designated for "Program Improvement" and to remove the financial restrictions of Program Improvement "set-asides" as they are currently defined.

We wish to speak specifically to the third goal of a single, transparent accountability system. We believe the California Waiver request could be strengthened by including the following:

- **California's current accountability system in need of significant revision.** It is much more difficult for the public, teachers, parents and school administrators to understand than AYP. With AYP students are proficient or not. The percent is easy to determine. API is a very complicated formula. To demonstrate this, here are a few sample questions to ask CDE staff to explain:
 - Why are there two APIs?
 - What is the difference between the Base API and the Growth API?
 - Why are they not the same number?
 - Can you compare the Growth to the Growth from one year to the next, or is it the Base to the Base that one would use for comparisons?

- Why is the “point value” change from one Performance Level to the next different?
- What does the “gift of 200” mean?
- Why does the weighting of different subject areas vary from school to school?
- How many combinations of student scores could result in a school receiving an API of 800?
- What factors are used to select “similar schools” when determining a school’s “similar schools rank”?
- Why would a school be in Program Improvement if it had attained an API of our state goal of 800 or higher?
- We contend these factors are extremely difficult to explain to even the most data savvy audience. **The waiver request must describe a commitment to revise the API to achieve what the public desires and deserves, a simple to explain measure of student performance.**

Other issues we believe are essential to a transparent accountability system include:

- An honest commitment to the creation of a straightforward, open list of our lowest performing schools. **The current “Open Enrollment” legislation does not identify the lowest performing schools in the state.** It identifies only the lowest performing 5% of schools in each district. Once a district’s lowest 5% were flagged, others were passed over, even if their API scores were much lower than the bottom 5% in other, higher performing districts. Low performing schools are hidden in large districts. That is unfair to schools in smaller districts and to the public. This practice must not be allowed to continue. The number of schools that requested State Board of Education waivers of this identification is evidence that too many high performing schools were improperly listed as among the lowest in the state.
- **Alternative Education programs cannot have the same targets** as schools that do not serve a population solely of high-risk students. A meaningful accountability system must recognize schools that serve high needs students require different, appropriate methods to measure progress.
- Measures developed to monitor progress must recognize that there are more than 1,000 small rural schools in the state. **The “one-size fits a large urban school” model must be replaced with a system that recognizes in a single-school district “the District” is the school.** Discussion in the Draft waiver related to focusing reform efforts on “the District” needs to take small districts into account.
- We approve of the concept of creating a multi-year method of averaging results before identification.

On the topic of funding for improvement efforts:

- **Funding formulas for improvement efforts for schools identified for PI need to begin with a base amount.** It is unreasonable to expect major change initiatives can be implemented if a thoughtful level of funding is not provided for small schools. A “per ADA factor” can be added to that base for larger schools. It is also unfair to devise funding formulas for districts in Program Improvement that allocate funds only based on the number of schools identified for Program Improvement. Many small districts in LEA PI have NO schools in PI.

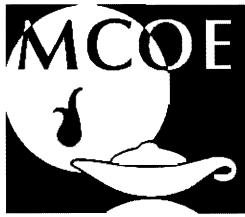
- **QEIA, IIUSP and HPGP** programs all provided very large allocations to a very small number of schools. Often these funds went to outside (external) groups to perform a review of the school and make recommendations. The number of days these groups spent preparing these reports and the number of days school staff were taken away from other school duties to meet with these “advisors” was counterproductive. We believe a new procedure that places more ownership at the local level will produce greater change and growth. We also believe this could be accomplished with less money, which would enable CDE to spread limited funds to a greater number of schools.

I appreciate this opportunity to provide input to you as you finalize this proposal. I would also be very honored to be asked to provide further input or clarification of any of the suggestions offered above. Thank you.

Sincerely,

Cheryl Ingham
Director, Instructional Leadership

CI:mac



MARIN COUNTY

OFFICE OF EDUCATION

1111 LAS GALLINAS AVENUE/P.O. BOX 4925
SAN RAFAEL, CA 94913-4925
marincoe@marin.k12.ca.us

MARY JANE BURKE
MARIN COUNTY
SUPERINTENDENT OF SCHOOLS

(415) 472-4110
FAX (415) 491-6625

May 29, 2012

Michael Kirst, President
California State Board of Education
California Department of Education
1430 N Street
Sacramento, CA 95814

Dear Dr. Kirst,

This letter is to express my strongest possible support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. It is essential that we are successful in our waiver request and are relieved from the current over-identification of schools and districts in program improvement. As school districts struggle during difficult financial times, we have an urgent need for greater spending flexibility to increase student achievement. Lastly, we need to transition to a single, transparent, state accountability system, as the current practice of reporting scores on dual accountability systems is confusing and incomprehensible to the general public.

Schools and districts in Marin County have continued to show impressive growth on our API scores. Yet, out of the many measures of AYP that we have met, one subgroup not meeting AYP has put schools into Program Improvement, undermining public confidence and teacher morale, instead of recognizing the growth and achievement that has been accomplished.

We believe evolving our current API system is best for California and its students. It is generally agreed that the focus on the more onerous status bar model of AYP has been an impediment to our moving forward to improve our API. California has been and will remain committed to continuous student achievement for all students and all subgroups.

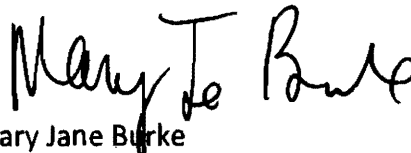
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Letter to Michael Kirst
May 29, 2012
(Page 2)

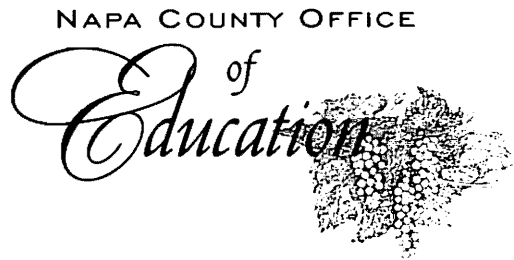
We appreciate the timelines outlined in the waiver which demonstrate a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Thank you for supporting and strengthening the waiver request. It is time to move it forward so that we can continue to improve the education we provide to the children of California.

Sincerely,

A handwritten signature in black ink, reading "Mary Jane Burke". The signature is written in a cursive, flowing style.

Mary Jane Burke
Marin County Superintendent of Schools



May 22, 2012

**Michael Kirst, President
California State Board of Education
California Department of Education
1430 N Street
Sacramento, CA 95814**

Dear Dr. Kirst,

This letter is to express our strongest possible support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. It is essential that we are successful in our waiver request and are relieved from the current over-identification of schools and districts in program improvement. As school districts struggle during difficult financial times, we have an urgent need for greater spending flexibility to increase student achievement. Lastly, we need to transition to a single, transparent, state accountability system, as the current practice of reporting scores on dual accountability systems is confusing and incomprehensible to the general public.

Schools and districts in Napa County have continued to show impressive growth on our API scores. Yet, out of the many measures of AYP that we have met, one subgroup not meeting AYP has put schools into Program Improvement, undermining public confidence and teacher morale, instead of recognizing the growth and achievement that has been accomplished.

We believe evolving our current API system is best for California and its students. It is generally agreed that the focus on the more onerous status bar model of AYP has been an impediment to our moving forward to improve our API. California has been and will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrate a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July

*Barbara G. Nemko, Ph.D.
Superintendent
(707) 253-6810*

*Business Services
(707) 253-6819*

*Fiscal Services
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*General Services
(707) 253-6828*

*Human Resources
(707) 253-6824*

*Educational Services
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*Court & Community Schools
(707) 253-6817*

*Curriculum & Instruction
(707) 253-6999*

*Early Childhood Services
(707) 253-6914*

*Regional Occupational
Program
(707) 253-6830*

*Safe Schools/Healthy Students
(707) 259-5979*

*SELPA
(707) 253-6807*

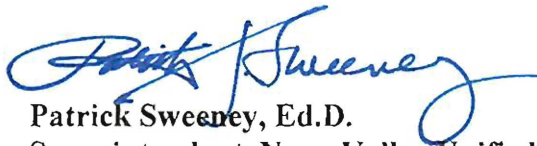
2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Thank you for supporting and strengthening the waiver request. It is time to move it forward so that we can continue to improve the education we provide to the children of California.

Sincerely,



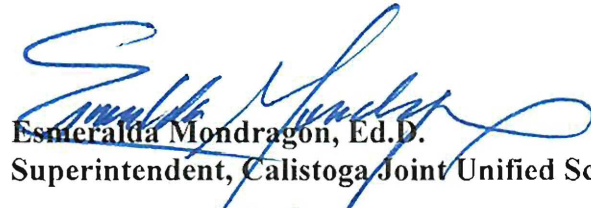
Barbara Nemko, Ph.D.
Napa County Superintendent of Schools



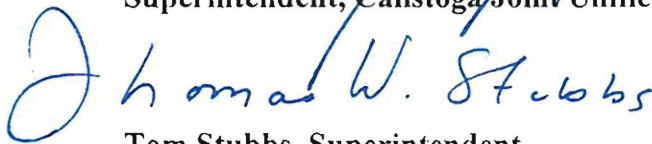
Patrick Sweeney, Ed.D.
Superintendent, Napa Valley Unified School District



Bill McGuire, Superintendent
St. Helena Unified School District



Esmeralda Mondragon, Ed.D.
Superintendent, Calistoga Joint Unified School District



Tom Stubbs, Superintendent
Howell Mountain Elementary School District



Florence Eaton, Superintendent
Pope Valley Union School District

Lisa Marie Gonzales
90 Hawthorne Way
San Jose, CA 95110-2216

May 19, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of students in Santa Clara County public schools, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

I commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. I strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

I believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

Most importantly, I appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). The Association of California School Administrators, of which I am the State Vice President of Legislative Action, stand ready to assist our state and I assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Dr. Lisa Marie Gonzales
408.453.6572

Tom Armelino
1644 Magnolia Ave.
Redding, CA 96001-1513

May 24, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Shasta County Office of Education I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Tom Armelino, Shasta County Superintendent of Schools
(530) 225-0227

Toni Presta
1 Solano Street
Brisbane, CA 94005-1342

May 24, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Brisbane and Bayshore Elementary School Districts, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Toni Presta
415-467-0550

From: Ruth Bareket [\[mailto:rbareket@campbellusd.org\]](mailto:rbareket@campbellusd.org)
Sent: Friday, May 18, 2012 3:18 PM
To: TITLEI
Subject: Support of Waiver

Campbell Union School District strongly supports the request for waiver presented by California on our behalf and would like to present a small bit of evidence.

In the last four years, Campbell has nearly tripled the rate of improvement over the previous four years. The three program improvement schools have made dramatic gains in those four years: Sherman Oaks - +142 points (current API 845) , Rosemary - +134 (current API 771) , Lynhaven – (current API 802). In addition, the disadvantaged subgroups have all increased more than the other subgroups, all of which made gains. All of the schools simultaneously raised the roof AND narrowed the gap. In addition, the district has won the Partners in Equity and Access award for two years in a row by the Santa Clara County Office of Education for the dramatic gains in academic achievement by our English language learners.

These schools are performing at the highest levels in their history. The sanctions that are imposed upon them when they have never been better are demoralizing and counter-productive. We feel that schools that are showing the quality and quantity of growth as these schools represent deserve our praise and not our derision. We hope that you will take some time to explore the seminal work on motivation theory and see that the current model may actually dis-incentivize our staffs from continuing to do the hard work that is benefitting our students. Thank you for carefully considering this matter.

Dr. Ruth Bareket
Associate Superintendent –
Instructional Services

John Roach
2072 Lee Court
Carlsbad, CA 92008-2764

May 24, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Carlsbad Unified School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

John Roach
(760) 802-7049

James Gibson
28131 Livingston Avenue
Valencia, CA 91355-4114

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Castaic Union School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

James M. Gibson, Superintendent
661-257-4500

Kelly Staley
1163 East Seventh Street
Chico, CA 95928-5903

May 22, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

As Superintendent of Chico Unified School District, I am writing share my support for California's "state defined" waiver request. This item will be before you on or after June 7, 2012.

I commend Governor Jerry Brown, the State Board of Education, and the State Superintendent Tom Torlakson for strengthening California's request for a general waiver. I am in strong support of the three main objectives for seeking a waiver: 1. Relief from the current over-identification of schools and districts in program improvement 2. The urgent need for greater spending flexibility to increase student achievement 3. The importance of transitioning to a single, transparent, state accountability system.

I believe our current API system is best for California and its students. We all want to see ongoing growth in both student and school performance. The API model assesses growth as opposed to the one size fits all, everyone must meet an arbitrary number--regardless of their native language or disability—model set forth in the AYP. California will remain committed to continuous student achievement for all students and all subgroups and will show that commitment through continued growth monitored by the API.

I am committed to academic achievement of all of our students and welcome the accountability offered by the API. Please contact me if I can provide further information. Thank you for your dedication to and support of California's students.

Sincerely,

Kelly Staley

Kelly Staley, Superintendent
Chico Unified School District
1163 East 7th Street
Chico, CA 95928
Office: 530-891-3000 ext. 134
Mobile: 530-521-3000
kstaley@chicousd.org

Danelle Almaraz
14535 E. Whittier Blvd
Whittier, CA 90605-2130

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of East Whittier City School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Danelle Almaraz

Robert Nacario
9125 Generations Dr.
ELK GROVE, CA 95758-1203

May 21, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Galt Joint Union Elementary School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Robert Nacario
510-384-2690

Elizabeth Modena
600 Elko Street (P.o. Box G)
Gonzales, CA 93926-0238

May 19, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Gonzales Unified School District, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Elizabeth Modena
831-675-0100

Nadine Bennett Superintendent
14581 Lyons Valley Road
Jamul, CA 91935-3324

May 21, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Jamul-Dulzura Union School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Nadine Bennett Superintendent
619 669-7702

Michelle Dimas
1331 E Calaveras Blvd
Milpitas, CA 95035-5707

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Milpitas Unified Educational Services Division, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Michelle Dimas

Emily Tsai
700 Pacific Street
Monterey, CA 93940-2815

May 23, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Monterey Peninsula Unified School District, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Emily Tsai

From: Winger, Marc [<mailto:mwinger@newhall.k12.ca.us>]

Sent: Friday, May 18, 2012 2:37 PM

To: TITLEI

Subject: Comment on ESEA Waiver

To: Jeff Breshears, Administrator I, Title I Policy and Program Guidance Office

From: Marc Winger, Ed.D., Superintendent, Newhall School District

The Newhall School District supports the CDE and SBE effort to secure the "State-Defined" waiver for sections of ESEA. There is general agreement that NCLB is deeply flawed. Without reauthorization the Newhall School district, with a district-wide API over 900, and every school over 800, will continue to have its schools labeled as failures. The set aside and potential expenditure for mandated transportation and ineffective supplemental education services is a waste of taxpayer dollars.

However, I also believe that it will be difficult to attain a state-defined federal waiver, given 40 other states' expressed interest in a waiver as defined by the Obama administration.

Therefore, I urge the CDE and SBE to develop an alternative plan that will provide as much relief as possible to districts and schools in the event of an unsuccessful waiver attempt. There must be California rules and regulations that can be relaxed in acknowledgement of the flaws of NCLB and the potential for labeling every school in the state a failure. Simply allowing this to happen is unacceptable.

Kevin Monsma Superintendent
2701 Amber Trail
Pollock Pines, CA 95726-9266

May 21, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Pollock Pines Elementary School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

Our District Board of Trustees commends the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Kevin Monsma, Superintendent
530-644-5416

Marc Jackson
35320 Daggett-Yermo Road
Yermo, CA 92398-0408

May 25, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the Silver Valley Unified School District, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Marc S. Jackson
760-590-9250

Craig Wheaton
5000 W. Cypress Avenue
Visalia, CA 93277-8300

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Visalia Unified School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Craig Wheaton

Janis Wade
227 Fairbanks Avenue
Sacramento, CA 95838-4720

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the students at Fairbanks Elementary School, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Janis Wade, Principal
916-439-4268

Mariphil Romanow-Cole
1065 Congress Avenue
Pacific Grove, CA 93950-4838

May 22, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Forest Grove Elementary School in Pacific Grove, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Mariphil Romanow-Cole
831-646-6560

Park View Center School

1500 Alexander Street • Simi Valley, California 93065 • (805) 520-6755

Anthony Karch, Principal

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education

May 22, 2012

Dear Sir,

As the principal of Park View Center School, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

Although there are, I believe, many aspects of the "No Child Left Behind" law that have been good for schools (e.g. focus on subgroups, increased accountability, etc.), the unrealistic targets set by NCLB and Program Improvement have been especially difficult for my staff here at Park View.

In spite of improving 49 points over three consecutive years under California's A.P.I. system (2007-2010), and having all significant subgroups demonstrate improvement in both language arts and mathematics, we continue to be identified as Program Improvement.

The reason for this is that we did not meet all of our sub group targets under A.Y.P. for two consecutive years. We met all of our targets in 2008 but fell one target criteria (Economically Disadvantaged subgroup in math) short in 2008-09. Astoundingly, we missed meeting that one target by one student. As a result, not only did we not exit Program Improvement, but we had to go back to start and meet all of our targets for two more consecutive years.

The following year we made the biggest A.P.I. gain in our district (Simi Valley USD) but did not meet all of our A.Y.P. criteria, falling short of the stated goal in one area again. Although our students in that subgroup improved (English Learners in language arts) they did not improve enough.

This past year, we lost 8 points on our API but over the past four years we have shown significant improvement both overall as a school and in closing the achievement gap. Unfortunately, A.Y.P. does not recognize or reward that improvement. I believe that A.P.I. does.

Therefore, I would hope that you will grant California's waiver request so that we may create an accountability system that utilizes the best of both programs.

Sincerely,

Anthony Karch
Principal

Jill Imperiale
9851 Stonehurst Avenue
Sun Valley, CA 91352

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of the students at Stonehurst Elementary, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Jill Imperiale
818-767-8014

Errol Garnett
28755 El Toro Road
Lake Elsinore, CA 92532-1912

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Temescal Canyon High School in the Lake Elsinore Unified School District I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Errol Garnett
9512537250

Julie Ashton-Gray
3045 Felton
SanDiego, CA 92104-5218

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of children and families in California school's, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Julie Ashton-Gray
619-282-7694

Joe Austin
4271 Myrtle Ave.
San Diego, CA 92105-3426

May 23, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Joe Austin
6193002048

Jerry Gargus
2350 W 235th Street
Torrance, CA 90501-5707

May 22, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of your constituents in Torrance, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

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Sincerely,

Dr. Jerry Gargus
310-517-9086

Kim Hall
8449 Hunter Dr.
Rancho Cucamonga, CA 91701-3931

May 19, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

I commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. I strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

I believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

I appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). I stand ready to assist our state and assure you of my continued commitment to strong accountability measures on behalf of all students.

Sincerely,

Kim Hall

Patt Hoellwarth
3609 Shaw Circle
Antioch, CA 94509-5964

May 22, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

I commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. I strongly concur with the three main objectives for seeking a waiver, which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement, and the importance of transitioning to a single, transparent, state accountability system. These powerful reasons for a waiver will allow educators in California an opportunity to truly meet the needs of all students.

I believe evolving our current API system is best for California's students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP.

I appreciate the timelines outlined in the waiver, which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013).

Sincerely,

Patt Hoellwarth, Administrator MDUSD

Shawn Judson
6061 East Avenue
Etiwanda, CA 91739-2218

May 22, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Shawn Judson

Todd Livingstone
5464 Entrance Drive
Soquel, CA 95073-2728

May 22, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of my children Mateo (age 9) and Ava (age 6) Livingstone I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

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Sincerely,

Todd Livingstone
831-750-8155

Terry Metzger
961 Holmisdale Way
Galt, CA 95632-3471

May 21, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Terry Metzger

Mary Ann Sanders
717 Maud Kump Terrace
Modesto, CA 95350-1633

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of Children, their families, communities and educators, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Mary Ann Sanders
209-523-2353

Robert Silva
4281 Margarita
Irvine, CA 92604-2207

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

On behalf of XXXXXXXX I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Robert Silva
949-552-4050

Satinder Singh
700 Petrig Street
Tracy, CA 95376-9093

May 25, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

We commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. We strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

We believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Sincerely,

Satinder Singh
(209) 835-3130

Dan Walden
156 Cragmont Drive
Walnut Creek, CA 94598-2807

May 18, 2012

Michael Yudin
Acting Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Michael Yudin:

As a retired school district trustee, I am writing to indicate support for California's "state defined" waiver request which will be before you on or after June 7, 2012.

I commend the Governor, State Board of Education and State Superintendent Tom Torlakson for strengthening California's request for a general waiver. I strongly concur with the three main objectives for seeking a waiver which is to seek relief from the current over-identification of schools and districts in program improvement, the urgent need for greater spending flexibility to increase student achievement and the importance of transitioning to a single, transparent, state accountability system.

I believe evolving our current API system is best for California and its students. What has distracted our state from doing so up to this point is the focus on the more onerous status bar model of AYP. California will remain committed to continuous student achievement for all students and all subgroups.

We appreciate the timelines outlined in the waiver which demonstrates a strong commitment on the part of the State to consider revisions to the API (January 2013), determination of targeted schools and districts for improvement (March 2013) and identification of sanctions (interventions) based on the severity and persistence of underachievement problems (July 2013). We stand ready to assist our state and we assure you of our continued commitment to strong accountability measures on behalf of our students.

Valuable time and resources are presently spent on administrative task related to the current AYP processes. California students would be better served by applying those resources within our current API accountability system. We remain committed to helping all students achieve at high levels, and to closing the academic achievement gap.

Sincerely,

Dan B. Walden